IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

Bail Appl..No. 6733 of 2007()

CRIME NO. 531/2007 OF PUNALUR POLICE STATION

PETITIONER/ACCUSED

LIJO JOSEPH, S/O.JOSEPH,
KUNNUTHARA VEETTIL, OTTAKKAL KARAYIL,
THENMALA VILLAGE, PATHANAPURAM TALUK.

BY ADV. SRI.R.ARUN RAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
SUB INSPECTOR OF POLICE, PUNALUR POLICE
STATION, (CRIME NO.531 OF 2007),
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 6733 of 2007

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Dated this the 6th day of November, 2007

ORDER

The petitioner faces allegations in a crime registered for offences punishable under Sections 420 and 468 Cr.P.C. The crime has been registered on the basis of the private complaint filed by the de facto complainant before the learned Magistrate and referred by the learned Magistrate to the Police under Section 156(3) Cr.P.C. Investigation is in progress. The petitioner apprehends imminent arrest. On identical allegations, another crime was also registered against the petitioner. In that crime the petitioner was granted anticipatory bail by order dated 22.10.07 in B.A.No.6128/2007. I have adverted the facts in detail in the earlier order. It is not necessary for me to advert the facts in any greater detail again in this petiton. This order must be read in continuation of the said order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can be granted anticipatory bail,

subject to identical conditions as were imposed on him in B.A.No.6128/2007.

3. In the result, this petition is allowed. The following directions are issued under Section 438 Cr.P.C.

i) The petitioner shall appear before the learned Magistrate having jurisdiction at 11 a.m on 13.11.2007.

ii) He shall be released on regular bail on condition that he execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 3 p.m on 14.11.2007 and 15.11.2007. During this period, the Investigating Officer shall be entitled to interrogate the petitioner in custody and take all such steps as are necessary for the proper investigation of the case. Thereafter the petitioner shall appear before the Investigating Officer on all Mondays and Fridays between 10 a.m and 12 noon for a period of two months and subsequently as and when directed by the investigating

officer in writing to do so.

(iv) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law, as if these directions were not issued at all.

(v) If he were arrested prior to 13.11.2007, he shall be released from custody on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) without any sureties, undertaking to appear before the learned Magistrate on 13.11.2007.

(R.BASANT, JUDGE)

sj

/True copy/

P.A.to Judge